

**Use of alternative therapy to treat breast cancer
(08HDC00218, 16 December 2008)**

Alternative therapist ~ Bioptron light therapy ~ Breast cancer ~ Standard of care ~ Information ~ Rights 4(2), 6(1)

A 44-year-old woman was diagnosed with cancer in her right breast. Instead of undergoing medical treatment, which would have included a mastectomy and chemotherapy, she sought alternative treatment (Bioptron light therapy treatment) for 2½ years. Over time, the condition of her right breast deteriorated. The woman ceased treatment with the alternative therapist and returned to her doctor, and underwent cancer treatment in hospital.

The alternative therapist was a health care provider under section 3(k) of the Health and Disability Commissioner Act, since she provided services to promote health.

Although the therapist provided the woman with adequate information initially, she breached Right 6(1) by failing to provide adequate information over the course of the treatment. There were several occasions when she should have provided more information about certain products she offered, and pointed out the option of seeking medical advice.

In addition, the therapist breached Right 4(2) as the care she provided did not comply with the professional standards stipulated in the New Zealand Light and Colour Institute Incorporated's Code of Ethics.

In situations where a consumer is receiving ongoing treatment, the requirement to provide adequate information about the treatment is a continuing obligation, not a one-off event. This is vital when the proposed treatment is unconventional and the consumer is known to have a life-threatening condition.